

between sovereign States, and it remains to show that such was the opinion of cotemporaneous writers. Reference has already been made to the work of Mr. Yates who was a member of the convention from N. York, and whose minutes of the debates are of the highest degree of authenticity, and which in the passage already cited, as well as in others, confirms the position taken by your committee. In the debate on the 29th June, the first clause of the seventh proposition being under consideration, which respected the suffrage of each State in the first branch of the Legislature, Mr. Madison who is so much relied upon by the Carolina Convention as an authority, in the celebrated resolutions of 1798, expressed himself as follows, as reported by Mr. Yates: "Some gentlemen are afraid that the plan is not sufficiently national, while others apprehend that it is too much so. If this point of representation was once well fixed, we would come nearer to one another in sentiment. The necessity would then be discovered of circumscribing more effectually the State Governments, and enlarging the bounds of the general government. Some contend that States are sovereign, when, in fact, they are only political societies.—There is a gradation of power in all societies, from the lowest corporation to the highest sovereign. The States never possessed the essential rights of sovereignty. These were always vested in Congress. Their voting as States in Congress, is no evidence of sovereignty. The State of Maryland voted by counties—did this make the counties sovereign? The States at present are only great corporations having the power of making by-laws, and these are effectual only if they are not contradictory to the general confederation. The States ought to be placed under the control of the general government. If the power is not immediately derived from the people, in proportion to their numbers, we may make a paper confederacy, but that will be all. We know the effects of the old confederation, and without a general government this will be like the former." —*Yates' Minutes*, p. 114.

In the debate on the 5th June, the last or 15th proposition of governor Randolph, being under consideration, which provided that the work of the convention should be submitted to assemblies of representatives to be chosen by the people expressly for that purpose. Mr. Yates reports that "Mr. Madison endeavored to enforce the necessity of this resolve, because the new national constitution ought to